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September 24, 2002

FILE 4100.002000

Assistant Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
September 24, 2002	
Date	Shelley P.M. Fussey

RE: *U.S. Patent Application Serial No. 09/442,542; "Sustained DNA Delivery from Structural Matrices"; Shea, Bonadio, Mooney and Peters; (Client Reference: UM 1522P1)*

Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, PTO-Form 1449 and copies of references A31-A34.

No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4100.002000.

• WILLIAMS, MORGAN & AMERSON, P.C.

Assistant Commissioner for Patents

September 24, 2002

Page 2

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Shelley P.M. Fussey

Reg. No. 39,458

Encls.



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September 24, 2002

Date


Shelley P.M. Fussey

17

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Shea, Bonadio, Peters and Mooney

Serial No.: 09/442,542

Filed: November 18, 1999

For: SUSTAINED DNA DELIVERY FROM
STRUCTURAL MATRICES

Group Art Unit: 1633

Examiner: Kerr, J.

Atty. Dkt. No.: 4100.002000

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Although first and second Restriction Requirements have been received, the present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits. This Supplemental Information Disclosure Statement is therefore timely filed in accordance with 37 C.F.R. § 1.97(b) and no fees should be due in connection herewith. Even if an Official Action had been issued in the last few days, no fees would be required in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the documents listed in the accompanying Form PTO-1449 were not cited in a communication from a foreign patent office in a counterpart foreign application. The listed documents were cited in an Official Action on the merits in a co-pending application of one of the present inventors, Serial No. 09/527,636 (Attorney Docket No. 4100.001100), mailed from the P.T.O. on August 01, 2002, less than three months before the filing of the present statement, and could not have been submitted before receipt.

No fees should be due in connection with the filing of this Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Examiner should contact the undersigned representative to discuss deduction from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/4100.002000.

Respectfully submitted,



Shelley P.M. Fussey
Reg. No. 39,458
Agent for Applicants

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